

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of New York
(State)

Case number (if known): Chapter 11

CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
RECEIVED - CENTRAL ISLIP☐ Check if this is an
amended filing

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Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Commack Plaza, LLC

2. All other names debtor used in the last 8 years

Ara
Ara Greek Kitchen & Bar
Ara Greek Kitchen and Bar

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN)

4 6 3 7 6 4 6 7 5

4. Debtor's address

Principal place of business		Mailing address, if different from principal place of business	
2	Henry Street	228	Park Avenue S
Number	Street	Number	Street
		#48897	
		P.O. Box	
Commack	NY 11725	New York	NY 10003
City	State ZIP Code	City	State ZIP Code
Suffolk		Location of principal assets, if different from principal place of business	
County			
		Number	Street
		City	State ZIP Code

5. Debtor's website (URL) www.arakitchen.com

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor Commack Plaza, LLC
Name

Case number (if known) _____

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.1225**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No☐ Yes.

District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No☐ Yes.

Debtor _____ Relationship _____

District _____ When _____
MM / DD / YYYY

Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor Commack Plaza, LLC
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? _____

Number Street

City State ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input checked="" type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Commack Plaza, LLC
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/19/2019
MM / DD / YYYY**X**

Signature of authorized representative of debtor

Steve Menexas

Printed name

Title Managing Member

18. Signature of attorney

X_____
Signature of attorney for debtor

Date

MM / DD / YYYY_____
Printed name_____
Firm name_____
Number Street_____
City_____
State_____
ZIP Code_____
Contact phone_____
Email address_____
Bar number_____
State

UNITED STATES BANKRUPTCY COURT

STATEMENT PURSUANT TO LOCAL
BANKRUPTCY RULE 1073-2(b)DEBTOR(S): Commack Plaza, LLC

CASE NO.: _____

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (*or any other petitioner*) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes of E.D.N.Y. LBR 1073-1 and E.D.N.Y. LBR 1073-2 if the earlier case was pending at any time within eight years before the filing of the new petition, and the debtors in such cases: (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one or more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

☒ NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.

☐ THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

CASE NO.: JUDGE: DISTRICT/DIVISION:

CASE STILL PENDING (Y/N): [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

CASE NO.: JUDGE: DISTRICT/DIVISION:

CASE STILL PENDING (Y/N): [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

CASE NO.: JUDGE: DISTRICT/DIVISION:

CASE STILL PENDING (Y/N): [If closed] Date of closing: _____

(OVER)

DISCLOSURE OF RELATED CASES (cont'd)

CURRENT STATUS OF RELATED CASE: _____

(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

NOTE: Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:

I am admitted to practice in the Eastern District of New York (Y/N): _____

CERTIFICATION (to be signed by pro se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case now pending or pending at any time, except as indicated elsewhere on this form.

Signature of Debtor's Attorney_____
Signature of Pro Se Debtor/Petitioner_____
Signature of Pro Se Joint Debtor/Petitioner2 Henry Street
Mailing Address of Debtor/PetitionerCommack, NY 11725
City, State, Zip Code347-577-9885
Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

NOTE: Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.

UNITED STATES BANKRUPTCY COURT
Eastern DISTRICT OF NEW YORK

-----X
In re: Commack Plaza, LLC

dba Ara

Chapter 11

Case No.:

Debtor.
-----X

**CORPORATE OWNERSHIP AND
CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rules of Bankruptcy Procedure §§ 1007(a)(1) and 7007.1(a) and E.D.N.Y. LBR 1073-3, there is no corporate entity to disclose which owns 10% or more of any class of equity interests of the Debtor.

Dated: 3/19/19

By: 

UNITED STATES BANKRUPTCY COURT
Eastern DISTRICT OF NEW YORK

In re: Commack Plaza, LLC
dba. Ara

Chapter 11
Case No.:

Debtor.

CORPORATE RESOLUTION

I, Steve Menexas a Member of Commack Plaza, LLC, the above captioned Limited Liability Company, do hereby certify that the following resolution was unanimously adopted on 3/19/19:

“RESOLVED, that by reason of the Limited Liability Corporation being unable to pay its debts as they mature, it is deemed expedient, necessary and in the best interests of the Limited Liability Company, its members and its creditors, that the Limited Liability Company seek relief under Title 11 of the United States Code from such circumstance and condition, and that the Limited Liability Company, acting by a Member of the Debtor, is hereby authorized, empowered and directed, subject to the provisions of the Limited Liability Company to institute a proceeding pursuant to Title 11, United States Code (Chapter 11 of the Bankruptcy Code).

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Limited Liability Company
this _____.

By:

Steve Menexas

Sworn to before me this 19
19 day of March 2019

[Signature]
Notary Public, State of New York



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re: Commack Plaza LLC
dba Ara

Case No.
Chapter

Debtor(s)

-----X

AFFIRMATION OF FILER(S)

All individuals filing a bankruptcy petition on behalf of a pro se debtor(s), must provide the following information:

Name of Filer: Steve Menexas

Address: 2 Henry Street, Commack, NY 11725

Email Address: smenexas@aol.com

Phone Number: (646) 489-8050

Name of Debtor(s): Commack Plaza LLC dba Ara.

CHECK THE APPROPRIATE RESPONSES:

ASSISTANCE PROVIDED TO DEBTOR(S):

☐ I PREPARED THE PETITION AND/OR ASSISTED WITH THE PAPERWORK BY DOING THE FOLLOWING: _____

☒ I DID NOT PROVIDE THE PAPERWORK OR ASSIST WITH COMPLETING THE FORMS.

FEE RECEIVED:

☒ I WAS NOT PAID.

☐ I WAS PAID.

Amount Paid: \$ _____.

I/We hereby affirm the information above under the penalty of perjury.

Dated: 3/19/2018


Filer's Signature

United States Bankruptcy Court
Eastern District of New York

In re

Commack Plaza, LLC

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date:

3/19/19


Steve Menexas / managing member
Signer/Title

Date:

Signature of Attorney

Ace Endico Food SVC
80 International Blvd
Brewster, NY 10509

Verizon
PO Box 15124
Albany, NY 12212

American Express National Bank
PO Box 30384
Salt Lake City, UT 84130

Ammirati Coffee
500 Fith Avenue
Pelham, NY 10803

Best Metropolitan Towel & Linen
60 Madison Avenue
Hempstead, NY 11550

Clare Rose
100 Rose Executive B
East Yaphank, NY

Ecolab
PO Box 32027
New York, NY 10087

Union Beer Distributors
1213-17 Grand Street
Brooklyn, NY 11211

Chase
PO Box 6294
Carol Stream, IL 60197

Skurnik Wines
PO Box 1315
Syosset, NY 11791

Manhattan Beer Distribution
PO Box 27458
New York, NY 10087

NYS Dept of Tax & Finance
PO Box 4127
Binghamton, NY 13902

NCR Corporation
PO Box 198755
Atlantia, GA 30384

NYS Dept of Labor
PO Box 4127
Binghamton, NY 13902

Southern Glazer's Wine & Spirits of NY
PO Box 3143
Hicksville, NY 11802

Tri State Carbonation
216 E. Broadway #2
Monticello, NY 12701

Empire Merchant, LLC
16 Bridgewater Street
Brooklyn, NY 11222

Sysco Long Island, LLC
199 Lowel Ave
Central Islip, NY 11722

St. Johns Produce
PO Box 34
Albertson, BY 11507

NUCO2 LLC
PO Box 417902
Boston, MA 02241

NewBank
146-01 Northern Blvd
Flushing, NY 11354

Open Table
1 Montgomery Street, Suite 700
San Francisco, CA 94104

PJ Venture FG, LLC
8 Garet Place
Commack, NY 11725

HotSchedules
6504 Bridge Point Pkwy
Austin, TX, 78730

US Foods, Inc.
P.O. Box 641871
Pittsburgh, PA 15264-1871

PSEGLI
PO Box 888
Hicksville, NY 11802

Out of the Blue
1271 Ryawa Ave
Bronx, NY 10474

Optima Foods
15 W. Jefryn Blvd
Deer Park, NY 11729

Cintas Corporation
PO Box 630803
Cincinnati, OH 45263

Town of Smithtown
PO Box 9066
Hicksville, NY 11802

Rivkin Radler
926 RXR Plaza
Uniondale, NY 11556-0926

Noble Management Group
228 Park Avenue, South #48897
New York, NY 10003

Quality Star Development
228 Park Avenue, South #48897
New York, NY 10003

Steve Menexas
301 Vanderbilt Parkway
Dix Hills, NY 11746

Giorgios Menexas
4 Elm Sea Lane
Manhasset, NY 11030

Henry Street Plaza, LLC
2 Henry Street
Commack, NY 11725

Office of the United States Trustee
Eastern District of NY (Brooklyn Office)
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014-9449